IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 76311-M of 2006

DATE OF DECISION : 09.02.2007

Lakhvir Singh alias Momi

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. S.S. Sidhu, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Lakhvir Singh alias Momi, apprehending his arrest in a non-bailable offence in case FIR No. 182 dated 3.11.2006 under Section 420 IPC, registered at Police Station Rampura, District Bathinda, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR as well as the order dated 28.11.2006, passed by Additional Sessions Judge, Bathinda, whereby bail application of the petitioner has been dismissed.

After hearing counsel for the parties, on December 12, 2006, interim anticipatory bail was granted to the petitioner subject to his joining investigation.

Counsel for the petitioner, while referring to the enquiry report dated 24.8.2006 (Annexure P-5), contends that on the earlier complaint made by the complainant, a detailed enquiry was conducted and the petitioner was found innocent.

Counsel for the petitioner further states that in terms of the interim order dated December 12, 2006, the petitioner has joined the investigation. The State counsel, after having instructions from Mohinder Singh SI does not dispute this fact and further states that the petitioner is no more required for further investigation.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated December 12, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

February 09, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**